

SENATE CHAMBER
SATURDAY, April 4, 1846.
9 o'clock A. M.

Senate met pursuant to adjournment, roll called and a quorum present.

Journal of the preceding day was read and adopted.

Senator Scott, Chairman of the committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed, the following bills:

A bill to repeal the 4th section of an act approved June 7th 1837, authorizing the consolidation and funding of the public debt, and prescribing the manner in which stock certificates of said stock shall be transferred;

A bill to authorize the institution of suits against the State;

A bill to provide for the appointment of patrols, and to prescribe their duties and powers.

Senator Bourland, Chairman of the committee on County Boundaries, to whom was referred a bill to be entitled an act to create the county of Titus, reported a substitute for the original bill, and recommended its passage. Substitute adopted.

Senator McNeel presented the petition of Seth Ingram, praying for donation land. Referred to committee on Public Lands.

A message was received from the House, transmitting a bill to be entitled an act to establish the county of Nueces, and requesting the concurrence of the Senate in the same.

Also, transmitting the following bills originating in the Senate, and passed the House:

A bill to be entitled an act to authorize the Commissioner of the General Land Office, to issue patents where land scrip has been issued in two surveys;

Bill to be entitled an act amending the 8th and 11th sections of an act to incorporate Herman's University, approved January 27th, 1844;

Bill to be entitled an act to prohibit individuals from issuing bills, checks, promissory notes, or other paper to circulate as money.

Senator Scott introduced a bill, to be entitled, an act to repeal an act additional to an act, to regulate the proceedings in civil suits, approved February 5th, 1840; read 1st time.

Senator Bourland introduced a bill for the relief of Nathaniel Amory; read 1st time.

Senator Wallace offered the following resolution:

Resolved by the Senate, That the committee on the Judiciary, be instructed to prepare and report a bill to regulate the fees of civil officers; adopted.

Senator Wallace introduced a bill to be entitled an act to prevent Justices of the Peace, Clerks of District, County, and Probate Courts from issuing executions for costs, only in civil actions; read 1st time.

Senator McNeel offered the following resolution:

Be it resolved by the Legislature of the State of Texas, That from and after the 7th of April, no new business shall be received by either House of the Legislature, without the concurrence of the other; read and laid on the table one day for consideration.

On motion of Senator Parker, the Senate proceeded to the

ORDERS OF THE DAY.

A bill to prescribe the time of the biennial meetings of the Legislature of the State of Texas; passed to 3d reading.

A bill to designate and officially name who shall be conservators of the Peace.

Senator Robinson moved to insert after "commissioners,"

Mayor and Aldermen of all incorporated cities, or towns;" adopted and bill ordered to be engrossed.

A bill to regulate motions for costs in civil suits; ordered to be engrossed.

A bill defining the duties of the Secretary of State.

Senator Phillips moved to strike out "Coroners and Constables."

The yeas and nays being called, stood thus:

Yeas. Senators, Bagby, Bourland, Brashear, Burleson, Cuney, Grimes, Jewett, Kinney, McKinney, McNeel, Miller, Parker, Phillips, Scott, Williams, Williamson and Wood.—17

Nays. Senators, Hogg, Robinson, and Wallace.—3.

Carried.

Senator Wallace moved to strike out members of the Legislature.

Yeas. Senators, Cuney, McKinney, McNeel, Robinson, Wallace, Williams, and Wood.—7.

Nays. Senators, Bagby, Bourland, Brashear, Burleson, Grimes, Hogg, Jewett, Kinney, Miller, Parker, Phillips, and Scott.—12.

Lost.

Senator Williams moved to strike out "Journals" wherever it occurs in the bill.

Yeas. Senators, Burleson, McKinney, McNeel, Williams, and Wood.—5.

Nays. Senators, Bagby, Bourland, Cuney, Grimes, Hogg Jewett, Kinney, Miller, Parker, Phillips, Robinson, Scott and Wallace.—13.

Lost.

Senator Hogg offered the following amendment:

"It shall be the duty of the Secretary of State to furnish to the Clerks of the County Court, 25 copies of the laws of to State, for sale for the use of the State."

Yeas. Senators, Hogg, Robinson, and Scott.—3.

Nays. Senators, Bagby, Bourland, Brashear, Burleson, Cuney, Grimes, Jewett, Kinney, McKinney, McNeel, Miller, Parker, Phillips, Wallace, Williams, and Wood.—16.

Senator Scott offered the following amendment:

"And that the Secretary of State is hereby authorized, if it deem it expedient, to employ a private conveyance for the transmission of all laws and journals contemplated by this act and all laws and journals which may be required to be transmitted by him, at the expense of the State.

The yeas and nays called, stood thus:

Yeas. Senators, Bagby, Hogg, Jewett, Kinney, Robinson Scott, Williams, and Wood.—8.

Nays. Senators, Bourland, Brashear, Burleson, Cuney, Grimes, McKinney, McNeel, Miller, Parker, Phillips, and Wallace.—11.

Lost.

Senator Robinson moved to strike out "captions." Carried.

Senator McNeel offered the following amendment:

Insert "which laws and journals when sent shall be at the charge of the recipient."

Lost.

Senator Scott offered the following amendment:

"And if the person to whom they are sent, should fail to pay the postage, the Post Master may sell said laws, for the postage.

Lost.

Senator Wallace moved to lay the bill on the table until Tuesday next. Lost.

On motion of Senator Jewett, the bill was read by sections First, second, third and fourth sections adopted.

Fifth section.

Senator Scott moved to strike out "Lieutenant Colonel and ajor." Carried.

Senator Wallace moved to strike out the fifth section. Lost.
 Senator McKinney moved to strike out "Notaries Public."

Carried.

Senator Wallace offered the following as a substitute for fifth section:

"He shall distribute the laws and journals, as may be provided by law."

Lost, and section adopted.

Sixth, seventh, and eighth sections adopted, and bill ordered to be engrossed.

A bill to provide for serving writs or other process upon Sheriffs. Read 2d time and ordered to be engrossed.

A bill to secure to the State of Texas, the customs' revenue received or incurred under the laws of the Republic of Texas.

Senator Wallace offered the following as an additional section:

"Be it further enacted, That the Governor is hereby authorized and required, when necessary, to employ additional counsel to represent the State, who shall be allowed for his services, not more than ten per cent. when the amount in controversy does not exceed five hundred dollars, nor more than five percent on any excess above five hundred dollars."

Adopted and bill passed to 3d reading.

A bill requiring Notaries Public to procure seals of office for the authentication of their acts. Read 2d time and ordered to be engrossed.

A bill to be entitled an act of amnesty, and pardon; read 2d time and referred to Judiciary committee.

A bill to be entitled an act to establish and define the limits of San Patricio county; read 2d time, and referred to a select committee.

A bill to be entitled an act to raise a revenue by direct taxation; read 2d time, and referred to Finance committee.

A bill to be entitled an act for the sale of a portion of the public buildings in the city of Austin; read 2d time, and referred to committee on Finance, with instructions to report the number of unsold lots, and out lots, in the city of Austin; the number of unsold lots on the Island of Galveston; the amount of unsold lots in the city of Calhoun, belong to the Government, and report as to the expediency of ordering a sale of the same.

On motion of Senator Grimes, Senators Cuney, and McNeel, were added to the Finance committee.

On motion of Senator Kinney, a bill to provide for the liqui-

dation of the public debt, was made the special order of the day for Tuesday next.

On Motion of Senator Jewett, a bill to provide for the sale of the public domain, was taken up, and made the special order of the day for Monday next.

A bill to be entitled an act to create the county of Limestone; passed to 3d reading.

A bill to be entitled an act to define the boundaries of Robertson county; read 2d time, and passed to 3d reading.

A bill to be entitled an act prescribing the manner of organizing the House of Representatives, of the Legislature of the State of Texas; read 2d time, and passed to a 3d reading.

A bill to be entitled an act to provide for the organization of the several counties in the State; read 2d time, and passed to a 3d reading.

A bill to provide for the appointment of patrols, and to prescribe their duties and powers; read 3d time.

Senator Robinson offered the following amendment:

Strike out all after the word "shall" in 19th line, 4th section and insert "be bound by said Justice to the next District Court, and subject to indictment and punishment as for a misdemeanor." Adopted.

Senator Cuney offered the following amendment:

Insert at the end of first section "provided one half of the patrols appointed shall be owners of slaves, or their substitutes." Adopted.

The yeas and nays on the final passage of the bill, stood:

Yeas. Senators, Bagby, Bourland, Brashear, Burleson, Cuney, Hogg, Jewett, McKinney, McNeel, Miller, Parker, Phillips, Robinson, Scott, Wallace, and Williams.—16.

Nays. Senator Grimes.—1.

So the bill passed.

Senate adjourned until 9 o'clock A. M. to-morrow

SENATE CHAMBER, }
 MONDAY April 6, 1846. }
 9 O'CLOCK A. M.

Senate met, pursuant to adjournment—roll called and a quorum present.

Journal of the preceding day was read and adopted.